

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of June 9, 2006 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. Nonetheless, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claims 1, 2, 4, 11, 12, and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,909,667 to Leontiades, *et al.* (hereinafter Leontiades). Claims 3, 5, 13, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Leontiades, in view of U.S. Patent No. 5,799,273 to Mitchell (hereinafter Mitchell).

As of this amendment, claims 1 and 11 have been amended, and claims 2, 3, 12, and 13 have been cancelled. Claims 1 and 11 have been amended to include the subject matter of claims 2 and 3 and claims 12 and 13, respectively, and to emphasize certain aspects of the present invention. The claim amendments, as discussed herein, are fully supported throughout the Specification. As such, no new matter has been introduced by the claim amendments.

Applicants thank the Examiner for acknowledging the allowable subject matter of claims 6-10 and 16-20. Per the Examiner's recommendation, claims 6, 7, 16, and 17 have been rewritten in independent form, and to include all of the limitations of the base and intervening claims. As of this amendment, Applicants submit that all remaining claims are now in allowable form.

#### **I. Rejections under 35 U.S.C. §102**

In the Office Action, claims 1, 2, 4, 11, 12, and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by Leontiades. As stated above, claims 2 and 12 have been cancelled, therefore Applicants respectfully request withdrawal of the rejection of these claims. Furthermore, claims 1 and 11 have been amended to include all the limitations of claims 2 and 3 and claims 12 and 13, respectively. Therefore Applicants respectfully submit that the rejection under Leontiades no longer applies, as the Office Action

recognizes that Leontiades fails to disclose each and every element of claims 3 and 13. (See paragraph 5). Therefore, Applicants respectfully request withdrawal of the rejection of claims 1, 2, 4, 11, 12, and 14 under Leontiades.

## **II. Rejections under 35 U.S.C. §103**

In the Office Action, claims 3, 5, 13, and 15 were rejected under 35 U.S.C. §103(a) as unpatentable under Leontiades in view of Mitchell. As stated above, claims 3 and 13 have been cancelled, therefore Applicants respectfully request withdrawal of the rejection of these claims. However Applicants recognize the need to address this rejection as it applies to claims 1 and 11.

The Office Action states in paragraph 5:

[Leontiades] does not explicitly teach audibly playing back the speech that is recognized, however, [Mitchell] teaches playing back the audio via the SR engine (Fig. 8A, subblock 256, 257).

Applicants respectfully submit that for an obviousness rejection to stand, it must meet two requirements: (1) existence of a prior art reference and (2) a suggestion by the prior art that the modification proposed in the application is desirable. See *In re Laskowski*, 781 F.2d 115 (Fed. Cir. 1989). Therefore in view of the current amendment and for the reasons stated below, Applicants respectfully submit that neither Leontiades or Mitchell, separately or in combination, expressly or inherently disclose each and every element of claims 1 and 11.

First, Applicants respectfully submit that the Office Action recognizes that Leontiades fails to disclose the step of audibly playing back the recognized speech. Second, Applicants submit that Mitchell fails to disclose the audio playback of the present invention. Mitchell teaches tagging and storing a digital recording of the actual audio spoken into the system, and refers to this tagged recording as the audio component. (See col. 6, ln. 41-58) Furthermore, Mitchell teaches that when audio playback through

the SR engine is initiated, the audio playback is that of this audio component. (See col. 9, ln. 28-46). Therefore, Applicants respectfully submit that Mitchell fails to disclose the audio playback method of the present invention, playback of the audio with a text to speech synthesis engine. (See p. 13, ln. 11-17).

Claims 1 and 11 have been amended to emphasize this aspect of the present invention, in order to expedite examination of these claims. Furthermore, Applicants respectfully submit that claims 5 and 15 are now also in allowable form, as claims 5 and 15 now also include the limitations of cancelled claims 3 and 13 by reference per the amendment of claims 1 and 11. Therefore, based on the reason stated above, Applicants further request withdrawal of the rejection of claims 5 and 14 under Leontiades in view of Mitchell.

### CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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